

James Alan Bush
1211 East Santa Clara Avenue #4
San Jose, CA 95118
(408) 217-8282

Plaintiff in pro per

FILED

2008 JUN 26 P 1:59

RICHARD W. WIEKING
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CA. S.J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

James Alan Bush,) Case No.: C 08-01354 (RS) JF
Petitioner,)
v.) NOTICE OF MOTION FOR SUMMARY
Valley Medical Center: Emergency) JUDGMENT FOR PETITION FOR
Psychiatric Services,) INJUNCTIVE AND DECLARATORY RELIEF
Respondent.) AND DAMAGES FOR REFUSAL TO PERMIT
REVIEW OF PERSONAL RECORD
Judge Jeremy Fogel

NOTICE OF MOTION FOR SUMMARY JUDGMENT

TO ALL PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on August 22nd, 2008, at 9:00 AM, in
Courtroom 3, 5th Floor, Petitioner will move the Court for summary
judgment, pursuant to Rule 56(a) of the Federal Rules of Civil
Procedure, on his petition for injunctive and declaratory relief and

1 damages against Valley Medical Center: Emergency Psychiatric Services,
2 Respondent, on the grounds set forth in the attached motion.

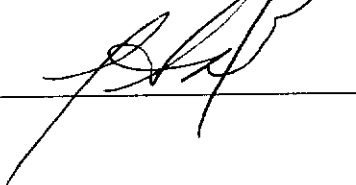
3
4 **RECORDS ON MOTION**

5 This notice is accompanied by a motion for summary judgment, a
6 verified petition, and its memoranda and exhibits, and the following
7 proof of service of this notice.

8
9 Signed:  Dated: 6-26-08

10
11 **CERTIFICATE OF SERVICE**

12 A copy of the above notice of motion was hand-delivered by the
13 petitioner to Valley Medical Center: Emergency Psychiatric Services,
14 located at 820 Enborg Court, in San Jose, California, on Thursday,
15 June 26th, 2008.

16
17 Signed:  Dated: 6-26-08

James Alan Bush
1211 East Santa Clara Avenue #4
San Jose, CA 95118
(408) 217-8282

Plaintiff in pro per

FILED

2008 JUN 26 P 2:00

RICHARD W. WIEKANG
CLERK
U.S. DISTRICT COURT
NO. DIST. OF CALIF., S.J.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

James Alan Bush,) Case No.: C 08-01354 (RS) JF
)
Petitioner,) MOTION FOR SUMMARY JUDGMENT
) [FED. R. CIV. P. 56(A)] FOR
v.) PLAINTIFF'S PETITION FOR INJUNCTIVE
) AND DECLARATORY RELIEF AND DAMAGES
Valley Medical Center: Emergency) FOR REFUSAL TO PERMIT REVIEW OF
Psychiatric Services,) PERSONAL RECORD
)
Respondent.) Judge Jeremy Fogel
)

RELIEF SOUGHT

Petitioner moves the Court for summary judgment against Respondent, Valley Medical Center: Emergency Psychiatric Services, and prays for all of the relief set forth in his petition for injunctive and declaratory relief and damages for the respondent's unlawful refusal to permit the petitioner to inspect his medical records.

1 6. Petitioner is likely to suffer further harm by the unauthorized
2 disclosure of his mental health records by defendants in the
3 related complaint, filed on March 10th, 2008, to this matter, in
4 that, by publicizing the contents of his mental health records, the
5 aforementioned respondent and others have biased opinion against
6 the petitioner, which has resulted in unfavorable termination of
7 official determinations and judicial proceedings.

8
9 Signed: _____

Dated: 6-25-08